IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.6643 OF 2000.

Shri Ranjan Narhar Deshmukh ... . .. Petitioner.

V/s

1)The State of Maharasthra,
2)The Commissioner of Police, Mumbai,
3)Senior Inspector of Police, Andheri.... ...
Respondents.

Ms.Leena Patil with M.s. Karnik for the petitioner.

Mr.R.M. Patne, AGP for respondent Nos.1 to 3.

CORAM: V.G. PALSHIKAR
AND
D.B. BHOSALE, JJ.
13.9.2005

PC:

By this petition the petitioner has challenged the order passed by the Maharashtra Administrative Tribunal partly allowing Original Application filed by the petitioner before it.

2. The petitioner was employed as Sub Inspector in the State Police and he resigned his job by resignation which he desired to withdraw thereafter. Otherwise it was accepted which was not permitted. Hence Original Application was filed. The Tribunal by the impugned order has granted him the following benefits:

"8. The Original Application is partly allowed. The

Respondents are directed to compute all the leave including extra ordinary levave that the petitioner would have been entitled to as on 3.12.1979 and sanction the same, treating the petitioner's resignation as effective from the date of expiry of such leave. In regard to the petitioner's net provident fund dues and pensionary benefits, if any, the Respondents shall pay to the petitioner interest @ 18% p.a. Till the end of the month prior to the month in which the dues are paid to the petitioner."

3. During the pendency of this petition the petitioner has expired and has been substituted by his legal representatives. On behalf of the petitioner it is contended that consequential benefits which may flow from the decision of this petition can go to the legal heirs and therefore the petition is liable to be considered. We are unable to accept this submission for the simple reason that basic prayers made in the application before the Tribunal were to quash the order of accepting the resignation of the applicant passed on 3.7.1992 and after quashing it allow the applicant to join the duties on the post he is entitled to. Even if these two prayers were to be granted the original petitioner would not be able to join the duties. Other benefits flowing out of the resignation and retirement have already been given as will be seen from para 8 quoted above. In such circumstances we see no reason to keep this petition pending. It is disposed of with above observations.